

**ADMINISTRATION & LEGISLATION COMMITTEE
MINUTES OF APRIL 13, 2009
OAKLAND, CA**

Chair Green convened the meeting of the Administration and Legislation Committee at 11:00 AM. The roster of attendance is attached.

1.0 PLEDGE OF ALLEGIANCE

2.0 PUBLIC COMMENT

There was no public comment.

3.0 CONSENT CALENDAR

3.1 Minutes of March 9, 2009 Meeting

3.2 Quarterly Investment Report

3.3 Quarterly SBE, LBE, and DBE Report

A motion to approve the consent calendar was made by Haggerty; a second was made by Worthington. The motion passed unanimously.

4.0 ADMINISTRATIVE MATTERS

4.1 FY 2008-09 Budget Update

Swanson gave a third quarter budget update. He stated that a total of nine capital projects and one Program experienced material changes during the last three months. The most significant change was in the I-580 Corridor ROW Preservation project which was reduced by \$ 3,000,000 with the activity being shifted to FY 2009/10. These combined would reduce the FY 2008/09 Budget by \$6,088,000 below the January 22, 2009 Budget adopted by the Board. The FY 2008/09 Work Program has also been updated to reflect the status of administrative, plans and programs and capital project activities during the 3rd Quarter. Swanson requested the Committee to recommend that the Board approve the third quarter budget. After some discussions, a motion to approve staff recommendation was made by Harper; a second was made by Chiang. The motion passed unanimously.

4.2 CMA Financial Overview Update

Swanson presented a quarterly update summarizing recent financial trends affecting the CMA as well as opportunities and challenges facing the Agency in delivering a comprehensive list of transportation projects throughout the County. He stated that in CMA's previous budget formats, CMA operations and project and program activities were combined. He gave a preview of FY 2009-2010 budget format. which will consist of three separate elements: (1) General Fund Budget – CMA operations and administration; (2) Capital Projects and Programs Fund Budget – CMA managed; and (3) Consolidated Budget – General Fund Budget and Capital Projects and Programs Fund combined. This item was for information only.

5.0 CONTRACTS, AGREEMENTS & CONSTRUCTION STATUS REPORTS

5.1 Route 84/Ardenwood Blvd. Park and Ride Lot Project (Regional Measure 2 Project 29.5) Quarterly Construction Status Report

Haas requested the Committee to recommend that the Board approve the Route 84/Ardenwood Boulevard Park and Ride Lot Project (Regional Measure 2 Project 29.5) Quarterly Construction Status Report for activities through March 31, 2009. A motion to approve staff recommendation was made by Worthington; a second was made by Harper. The motion passed unanimously.

5.2 Grand MacArthur Corridor Transit Enhancements Project: Construction Status Report

Yarjani requested the Committee to recommend that the Board approve the Grand MacArthur Corridor Transit Enhancement Project: Quarterly Construction Contract Progress Report for activities through March 31, 2009. A motion to approve staff recommendation was made by Haggerty; a second was made by Javandel. The motion passed unanimously.

5.3 San Pablo Rapid Bus Stop Improvements Project Status Update

Yarjani requested the Committee to recommend that the Board approve the Construction Contract Progress Report for activities through March 31, 2009. A motion to approve staff recommendation was made by Worthington; a second was made by Harper. The motion passed unanimously.

5.4 SMART Corridors Program – Amendment to Agreement with Kimley-Horn and Associates for San Pablo Avenue Corridor Transit Improvements Project's Final Design

Yarjani requested the Committee to recommend that the Board authorize the Executive Director, or his designee to amend the design services contract with Kimley-Horn Associates for an amount not to exceed \$10,500. This amendment will provide for final design of the median landscape and additional pedestrian amenities. A motion to approve staff recommendation was made by Worthington; a second was made by Harper. The motion passed unanimously.

5.5 Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) FY 2008/09 Project Application

Todd stated that Proposition 1B approved by the voters on November 7, 2006, includes a program of funding in the amount of \$4 billion to be deposited in the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA). The CMA's allocation from PTMISEA for FY 2008/09 totals \$159,509 and is based on the ACE service within Alameda County. He added that CMA has a balance of approximately \$1.1 M of STA funds available for allocation with the MTC. Staff proposes that the PTMISEA funds be combined with STA funds and used for the ACE Maintenance and Layover Facility project identified to be funded in the 2009/2010 ACE Baseline Service plan. The CMA is requested to contribute \$800,000 towards this project and staff anticipated using ACTIA funds for this project. Todd requested the Committee to recommend that the CMA Board (1) authorize the Executive Director, or his designee, to submit an application for the FY 2008/09 PTMISEA funds; and (2) approve the amended funding package for the ACCMA portion of the ACE

Maintenance and Layover Facility project identified to be funded in the 2009/2010 ACE Baseline Service plan. A motion to approve staff recommendations was made by Harper; a second was made by Javandel. The motion passed unanimously.

6.0 LEGISLATION/PUBLIC AFFAIRS

6.1 Sacramento Report

Fay reported that the state sold \$6.5 billion bonds which will enable the state to restart many stalled projects. Included in the list of priority projects is over \$170 million for projects in Alameda County. These projects include funding for the Sunol Grade HOV/HOT lane, the I-580 Eastbound HOV lane, and the Isabel Avenue/580 Interchange. Fay also stated that the Governor recently signed five bills that will allow California to collect an additional \$17.5 billion in federal funds through the American Recovery and Reinvestment Act which resulted in MTC having \$700 million for various projects in the Bay Region.

6.2 Washington, DC Report

Fay reported that Congress is requesting earmarks for the reauthorization bill. There is a general form that was put together that CMA's Washington DC representative has forwarded to the congressmen and senators. CMA will work on these this week.

6.3 CMA Bill Positions

Fay discussed the recommended positions by CMA's Sacramento Representative on some priority bills. He stated that in general, these recommendations are consistent with positions adopted by the CMA Board on similar bills from prior legislative sessions. The following were the recommended positions these bills:

- (1) AB 798 (Nava) California Transportation Financing Authority: toll facilities – Support and seek amendments
- (2) AB 949 (Logue) Transportation: State-Local Partnership - Oppose
- (3) AB 1386 (Hayashi) State Highway Route 238 – Support and seek amendments on the issue of relinquishments and county share
- (4) ACA 9 (Huffman) Local Government Bonds: special taxes - Support
- (5) ACA 15 (Arambula) Local Government Transportation Projects: special taxes - Support
- (6) various bills on HOV Lanes Exemptions: AB 497 (Block), AB 670 (Berryhill, Bill), AB 1500 (Lieu), AB 1502 (Eng), and SB 535 (Yee) – Oppose

A motion to recommend that the Board approve the recommended positions on these bills was made by Hosterman; a second was made by Chiang. The motion passed unanimously.

6.4 AB 744 (Torrico) Streets and Highways Code

Fay stated that AB 744 would authorize the Bay Area Toll Authority (BATA) to acquire, construct, administer, and operate a value pricing high-occupancy vehicle network program on state highways within the geographic jurisdiction of the Metropolitan Transportation Commission. This bill would authorize capital expenditures for this program to be funded from program revenues, revenue bonds, and revenue derived from tolls on state-owned toll bridges within the geographic jurisdiction of the commission. It would also authorize the use of the high-occupancy vehicle lanes in the program by single-occupant vehicles for a fee. Amendments to provide more detail on the use of revenues and other matters are in progress.


Fay requested that the Committee recommend that the CMA Board support this bill in concept. A motion to approve staff recommendation was made by Worthington; a second was made by Hosterman. The motion passed unanimously.

7.0 STAFF AND COMMITTEE MEMBER REPORTS

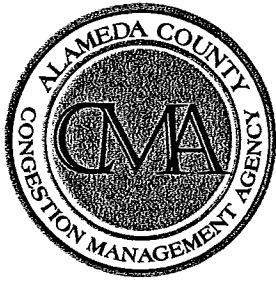
There was no staff report. Haggerty commented that two members of the Sunol Joint Powers of Agreement (JPA) Governing Board, Beverly Johnson and Jennifer Hosterman, are both members of the Plans and Programs Committee (PPC) but not a member of the Administration and Legislation Committee (ALC). ALC meets immediately after the JPA while PPC meets after ALC. Hence, they have to wait for an hour for the PPC. Haggerty requested Green to look into the membership of these two committees in consideration of both members.

8.0 ADJOURNMENT/NEXT MEETING: MAY 11, 2009

Attest By:



Gladys V. Parmelee
Board Secretary



ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

ADMINISTRATION AND LEGISLATION COMMITTEE MEETING ROSTER OF MEETING ATTENDANCE

April 13, 2009

ACCMA Committee Meeting Room
1333 Broadway, Suite 220, Oakland CA 94612

MEMBERS	Initials	ALTERNATES	Initials
Mark Green, Chair –City of Union City			
Greg Harper, Vice Chair – AC Transit		Rocky Fernandez - AC Transit	
Scott Haggerty – County of Alameda			
Councilmember John Chiang – City of Piedmont		Garrett Keating – City of Piedmont	
Farid Javandel – City of Albany		Peggy Thomsen – City of Albany	
Marshall Kamena – City of Livermore		Marjorie Leider – City of Livermore	
Tim Sbranti - City of Dublin		Jennifer Hosterman – City of Pleasanton	
Nate Miley – County of Alameda			
Larry Reid – City of Oakland			
Kriss Worthington – City of Berkeley		Tom Bates – City of Berkeley	

CMA STAFF	Initials	CMA STAFF & CONSULTANTS	Initials
Dennis Fay, Executive Director		Gladys Parmelee – Exec Asst & Board Secretary	
Frank Furger, Chief Deputy Director		Liz Brazil – Contracts Administrator	
Dick Swanson, Director of Finance & Admin.		Steve Haas – Senior Transportation Engineer	
Yvonne Chan – Accounting Manager		John Hemiup - Senior Transportation Engineer	
Christina Muller –Administrative Manager		Vivek Bhat - Assoc . Transportation Engineer	
Cyrus Minoofar - Manager of ITS		Jacki Taylor – Engineering Assistant	
Matt Todd - Manager of Programming		Laurel Poeten - Engineering Assistant	
Ray Akkawi – Manager of I-580 Corridor			
Beth Walukas – Manager of Planning			
Diane Stark, Senior Transportation Planner			
Saravana Suthanthira, Senior Trans. Planner		Zack Wasserman – WRBD	
Bijan Yarjani – Senior Transportation Engr.		Neal Parish - WRBD	

Administration and Legislation Committee Meeting
Roster of Meeting Attendance
April 13, 2009
Page 2

	NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1.	Dawn Argue	Ala. Co. SOS #1	925-551-6995	dawn.argue@alagov.org
2.	Bob Franklin	BARE	520-464-6095	
3.	Maria Mitchell	Berkley		mariamitchell@sbcglobal.net
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				